WILKINSON ) BARKER KNAUER LLP

2300 N STREET, NW
SUITE 700
WASHINGTON, DC 20037
TEL 202.783.4141
FAX 202.783.5851
WWW.WBKLAW.COM
JENNIFER L. KOSTYU
202.383.3384
JKOSTYU@WBKLAW.COM

July 2, 2012

#### Via ECFS

Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, S.W. Washington, D.C. 20554

Re: Commnet of Nevada, LLC 2012 Eligible Telecommunications Carrier Annual

Report (Nevada) WC Docket No. 10-90

Dear Ms. Dortch:

On behalf of Commnet of Nevada, LLC ("Commnet") and pursuant to Section 54.313 of the Commission's rules, <sup>1</sup> enclosed please find the redacted, public version of Commnet's 2012 Eligible Telecommunications Carrier Annual Report relating to its designation as an eligible telecommunications carrier in certain areas in Nevada. A confidential version of the Annual Report also is being submitted to your office under separate cover, including a request for confidential treatment pursuant to Section 0.459 of the Commission's rules, and to the administrator of the universal service fund.<sup>2</sup>

If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

/s/ Jennifer L. Kostyu

Jennifer L. Kostyu

Counsel to Commnet of Nevada, LLC

**Enclosures** 

<sup>&</sup>lt;sup>1</sup> 47 C.F.R. § 54.313.

<sup>&</sup>lt;sup>2</sup> *Id.* § 0.459.

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D. C. 20554

In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	1	

#### 2012 ANNUAL REPORT ON BEHALF OF COMMNET OF NEVADA, LLC

**JULY 2, 2012** 

#### I. INTRODUCTION

Pursuant to Commission's Public Notice released May 8, 2012, Commnet of Nevada, LLC ("Commnet Nevada" or "Company") - with Study Area Codes 559005 and 559007 - submits this 2012 Annual Report with regards to its operations in the state of Nevada. The Public Notice referenced above requires an Eligible Telecommunications Carrier ("ETC"), that is designated by a state regulatory commission pursuant to 47 U.S.C. § 214(e)(2), to report to the FCC, no later than July 2, 2012, any information identified in 47 U.S.C. § 54.313(a)(2) – (6) that is filed with the designating state regulatory commission as part of its annual certification and report.

#### II. ETC DESIGNATED AREA

Pursuant to 47 U.S.C. § 214(e)(2), the Nevada Public Utilities Commission has designated Commnet Nevada as an ETC in certain non-rural wire centers of Nevada Bell Telephone Company and the rural study areas/wire centers of Humboldt Telephone Company, Citizens Telecomm of Nevada, Centurytel Gem State Inc., Filer Mutual Telephone Company and CC Communications. A complete listing of the areas in Nevada in which the Company has been designated as an ETC, and is requesting federal universal service support under the legacy high cost program, is identified in **Exhibit A** ("Designated Area").

#### III. ANNUAL REPORT IN ACCORDANCE WITH SECTION 54.313(a)(2) - (6)

#### A. Network Outages In Designated Area

47 U.S.C. § 54.313(a)(2) requires an ETC to annually report network outages within its Designated Area. 47 U.S.C. § 54.313(a)(2) specifically requires:

detailed information on any outage in the prior calendar year, as that term is defined in 47 C.F.R. § 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect (i) at least ten

percent of the end users served in a designated service area; or (ii) a 911 special facility, as defined in 47 C.F.R. § 4.5(e). Specifically, the eligible telecommunications carrier's annual report must include information detailing: (A) the date and time of onset of the outage; (B) a brief description of the outage and its resolution; (C) the particular services affected; (D) the geographic areas affected by the outage; (E) steps taken to prevent a similar situation in the future; and (F) the number of customers affected.

The Nevada Public Utilities Commission does not require ETCs to report the information identified in 47 U.S.C. § 54.313(a)(2).

#### B. <u>Unfulfilled Requests For Service</u>

47 U.S.C. § 54.313(a)(3) requires an ETC to annually report the number of requests for service from potential customers within the ETC's designated area that were unfulfilled during the past year. The filing must also detail how the ETC attempted to provide service to those potential customers. The required information concerning unfulfilled requests for service within the Designated Area from January 1, 2011 through December 31, 2011 is contained in Confidential Exhibit B.

#### C. Complaints Per 1,000 Connections

47 U.S.C. § 54.313(a)(4) requires an ETC to annually report the number of complaints per 1,000 connections in the prior calendar year. The Nevada Public Utilities Commission does not require ETCs to report the information identified in 47 U.S.C. § 54.313(a)(4).

# D. <u>Certification Regarding Applicable Service Quality Standards And Consumer Protection Rules</u>

47 U.S.C. § 54.313(a)(5) requires an ETC to certify that it is complying with applicable service quality standards and consumer protection rules. The Commission found that a wireless carrier's compliance with the CTIA Consumer Code for Wireless Service ("CTIA Code") satisfies this requirement. By the attached certification, Commnet Nevada hereby certifies that the company is compliant with the provisions outlined identified in the CTIA Code.

#### E. Certification Regarding Ability to Function in Emergency Situations

47 U.S.C. § 54.313(a)(6) requires an ETC to certify to its ability to function in emergency situations as set forth in FCC Rule 54.202(a)(2). By the attached certification, Commnet Nevada hereby certifies, as outlined in the Company's Petition for Designation as an ETC, that is able to remain functional in emergency situations as set forth FCC Rule 54.202(a)(2).

#### IV. CONCLUSION

Based on the foregoing information, Commnet Nevada respectfully requests the Commission to find that the Company has satisfied its obligations under 47 U.S.C. § 54.313.

July 2, 2012

Rohan Ranaraja

Director - Regulatory Compliance

RARing.

#### **SUMMARY OF EXHIBITS**

Exhibit A – Designated Service Area for Study Area Codes 559005 and 559007.

Confidential Exhibit B – 2011 Unfulfilled Requests for Service

#### Before the Federal Communications Commission Washington D.C. 20554

In the matter of		
Federal-State Joint Board on	)	CC Docket No. 10-90
Universal Service	)	

#### CERTIFICATION

The undersigned, Lou Tomasseti, does hereby certify as follows:

- I serve as President/CEO of Commnet Wireless, LLC and each of its subsidiaries.
   Commnet of Nevada, LLC ("Commnet Nevada") is a subsidiary of Commnet Wireless, LLC.
- This certification is submitted in support of Commnet Nevada's 2012 Annual
   Report.
- 3. Commnet Nevada has been designated a competitive eligible telecommunications carrier in the areas identified in Exhibit A of its 2012 Annual Report.
- 4. Commnet Nevada has been assigned Study Area Codes 559004 and 559007 by the Universal Service Administrative Company in the State of Nevada.
- I have reviewed the 2012 Annual Report of Commnet Nevada for the State of Nevada.
- 6. Commnet Nevada is complying with applicable service quality standards and consumer protection rules.
- 7. Commnet Nevada is able to function in emergency situations as set forth in § 54.202(a)(2).
- 8. Consistent with 47 U.S.C. § 254(e) and FCC Rules 54.313 and 54.314, Commnet Nevada certifies that all federal high-cost universal service support received will be used only for

the provision, maintenance and upgrading of facilities and services for which the support is intended.

9. The facts stated therein are true and correct to the best of my present knowledge,

information and belief.

Lou Tomasetti

Subscribed and sworn to before me this 29 day of June, 2012

(NOTARY SEAL)

Dar Michelle Jullia

### **EXHIBIT A**

#### Commnet of Nevada, LLC ETC Designated Area

ILEC Name	<b>Rural Wire Centers</b>	ILEC Name	Non-Rural Wire Centers
HUMBOLDT TELEPHONE COMPANY	PRVYNV11	NEVADA BELL	WNMCNV01
HUMBOLDT TELEPHONE COMPANY	MCDRNV11	NEVADA BELL	LVLCNV11
HUMBOLDT TELEPHONE COMPANY	ORVDNVXA	NEVADA BELL	IMLYNV12
HUMBOLDT TELEPHONE COMPANY	DENONV02	NEVADA BELL	BTMTNV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	MTLLNVXF	NEVADA BELL	CSTVNV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	TNPHNVXB	NEVADA BELL	AUSTNV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	WLLSNVXF	NEVADA BELL	EURKNV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	WNDVNVXC	NEVADA BELL	RNMTNV12
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	RBVYNVXG	NEVADA BELL	GABBNV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	SLVPNVXF	NEVADA BELL	MINANV11
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	CRLNNVXF	NEVADA BELL	LTWLNV13
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	ELKONVXF	NEVADA BELL	BTTYNV12
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	GLFDNVXF	NEVADA BELL	FLVYNV12
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	JGGSNVXF		
CITIZENS TELECOMM CO OF NV DBA FRONTIER COMM OF NV	MNHTNVXF		
CENTURYTEL GEM STATE INC-NV DBA CENTURYLINK - NV	OWYHNVXF		
FILER MUTUAL TELEPHONE CO.	JCKPNVXF		
NEVADA BELL	HWTHNV11		
NEVADA BELL	SCRZNV11		
CC COMMUNICATIONS	FLLNNVXA		

## **EXHIBIT B**

This document is being withheld from public inspection.